

**California State Personnel Board – Agenda
Board Meeting
March 24, 2009 – 10:00 a.m.**

**Public and Closed Session Location
801 Capitol Mall, Room 150
Sacramento, CA 95814**

10:00 a.m. Open Session

Call to Order and Roll Call

I. Information and Discussion Items

- Report of the Executive Officer
- Report of the Acting Chief Counsel
- Report on Legislation
- New Business

10:15 a.m. Closed Session

Attachment 1

- Employee Appointments, Disciplinary Matters, and Other Appeals (As set forth in Attachment 7)
- Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges (As set forth in Attachment 8)
- Pending Litigation
- Recommendations to the Legislature
- Recommendations to the Governor

11:00 a.m. Open Session

II. Action Items

- Resolution Extending Time Pursuant to Government Code Section 18671.1
- Non-Hearing Agenda
- Career Executive Assignment (CEA) Category Activity
- Hearing Agenda
 1. Submitted Items
 2. Evidentiary & Non-Evidentiary Cases

Attachment 2

Attachment 3

Attachment 4

Attachment 5

Attachment 6

ADJOURNMENT

Any person with a disability who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, may submit a written or electronic request for such modification or accommodation to the State Personnel Board, Office of the Secretariat, 801 Capitol Mall, Sacramento, CA 95814, or to hcable@spb.ca.gov, no later than **five days** prior to the scheduled hearing date.

- **Employee Appointments, Disciplinary Matters, and Other Appeals**
Deliberations to consider matters submitted at prior hearing.
[Government Code Sections 1126(c)(3), 18653(3)]
- **Deliberation on Non-Evidentiary Cases and Adverse Actions, Discrimination Complaints and other Proposed Decisions Submitted by Administrative Law Judges**
Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.
[Government Code sections 1126(c)(3), 18653]
- **Pending Litigation**
Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.
[Government Code sections 1126(e), 18653.]

Patrick McCollum v. State of California
United States District Court, Northern District of California
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.
United States District Court, Northern District of California
Case No. C01-1351 TEH

Service Employees Local 1000 v. California Department of Education, et al.
Sacramento Superior Court Case No. 34-2009-00032144-CU-WM-GDS

Three Ranks Pilot Project
- **Recommendations to the Legislature**
Deliberations on recommendations to the Legislature.
[Government Code section 18653]
- **Recommendations to the Governor**
Deliberations on recommendations to the Governor.
[Government Code section 18653]

NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

GOVERNMENT CODE SECTION 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

NON-HEARING AGENDA

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing. Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code section 18500 et seq.) and Article VII of the California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend that the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute

A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.

(1) CHILD SUPPORT TECHNICIAN, CHILD SUPPORT SPECIALIST, AND SENIOR CHILD SUPPORT ANALYST, DEPARTMENT OF CHILD SUPPORT SERVICES

The Department of Child Support Services (CSS) is resubmitting their request for the establishment of two new deep classes of Child Support Technician, CSS and Child Support Specialist, CSS; establishment of a new class of Senior Child Support Analyst; CSS; adoption of Alternate Range Criteria 451 and 452; adoption of a twelve-month probationary period for all three classes; and reallocation of incumbents to the appropriate class. This submission will list the correct titles to the proposed classifications.

(2) DIRECTOR, CLINICAL OPERATIONS (ANCILLARY SERVICES)

California Prison Health Care Services requests the establishment of a classification entitled Director of Clinical Operations (Ancillary Services), CEA, to create an effective clinical management structure within the California Department of Corrections and Rehabilitation's adult institutions and health care facilities. This executive position will provide leadership for ancillary patient care services and support functions at the Receiver's new and existing facilities, including Pharmacy, Radiology, Laboratory,

Optometry, Podiatry, Respiratory, Dietary, Rehabilitation Services, Health Information Management, and Telemedicine.

- B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND STATE PERSONNEL BOARD proposes to abolish the following unused classifications, which have been vacant for more than twenty-four months. Departments that utilize the class as well as the appropriate union have no objection to the abolishment of these classes. When classes are proposed to be abolished which are part of a class series, and other classes within the series will continue to be used, the class specification is included in the board item.

NONE

- C. BACKDATE OF APPOINTMENTS**

State Personnel Board staff proposes the adoption of the following matters in which departments have requested an employee be appointed retroactively to a position. Staff has reviewed the following requests and has advised the Board of recommended action.

NONE

DATE: March 4, 2009

TO: STATE PERSONNEL BOARD

FROM: JOEY HERRERA, Staff Personnel Program Analyst
Department of Personnel Administration

REVIEWED BY: Belinda Collins, Chief
Classification and Compensation Division
Department of Personnel Administration

SUBJECT: The Department of Child Support Services requests the establishment of two new deep classes of Child Support Technician, Department of Child Support Services and Child Support Specialist, Department of Child Support Services; establishment of a new class of Senior Child Support Analyst; Department of Child Support Services; adoption of Alternate Range Criteria 451 and 452; adoption of twelve month probationary period for all three classes; and reallocation of incumbents to the appropriate class.

SUMMARY OF ISSUES:

The Department of Child Support Services (DCSS) proposes establishment of the Child Support Technician, DCSS; Child Support Specialist, DCSS; and Senior Child Support Analyst, DCSS classes. These classes will accurately describe the technical and analytical activities performed in support of the department's collection of child support payments, policy and program implementation, and maintenance duties conducted in the Operations Division of the department. The establishment of and reallocation of employees to these classifications will allow for the successful transition of the employees from the Franchise Tax Board (FTB) to DCSS according to the mandate of AB 2358, Chapter 806, filed in September 2004.

CONSULTED WITH:

Joey Herrera, Department of Personnel Administration
Debbie True, Department of Personnel Administration
Mike Strazzo, State Personnel Board
Denise Masuhara, State Personnel Board
Mary Butera, State Personnel Board
Cher Woehl, Department of Child Support Services
Deborah Silva, Department of Child Support Services
Martha Rojo-Jamarillo, Department of Child Support Services

The Service Employees International Union (SEIU) Local 1000 has been notified and is in agreement with this proposal.

CLASSIFICATION CONSIDERATIONS:

Please see attached proposal.

RECOMMENDATIONS:

1. That the following deep classes be established; the proposed class specifications for these classes as shown in the current calendar be adopted; and the probationary periods be as specified.

<u>Class</u>	<u>Probationary Period</u>
Child Support Technician, Department of Child Support Services	12 months
Child Support Specialist, Department of Child Support Services	12 months

2. That the class of Senior Child Support Analyst, Department of Child Support Services be established; the proposed class specification for the class as shown in the current calendar be adopted; and the probationary period be 12 months.
3. That all appointments to the class of Senior Child Support Analyst, Department of Child Support Services require a probationary period and that are effective on or after January 14, 2009, shall require services of a one-year probationary period before an employee may attain permanent status in the class.
4. That the proposed Alternate Range Criteria 451 for the class of Child Support Technician, Department of Child Support Services as shown below be adopted.

Range A. This range shall apply to individuals who do not meet the criteria for payment in Range B.

Range B. This range shall apply to individuals who have satisfactorily completed either:

1. Six months of experience performing duties comparable to Child Support Technician, Department of Child Support Services, Range A, and at least two courses in basic accounting or at least one course each in basic accounting and business or commercial law; or
2. One year of state service experience performing duties at a level of responsibility comparable to Child Support Technician, Department of Child Support Services; or
3. The equivalent to graduation from college, which must include at least two courses in basic accounting or at least one course each in basic accounting and business or commercial law.

5. That the proposed Alternate Range Criteria 452 for the class of Child Support Specialist, Department of Child Support Services as shown below be adopted.

Range A. This range shall apply to individuals who do not meet criteria for payment in Range B or Range C.

Range B. This range shall apply to individuals who have satisfactorily completed either:

1. Six months of experience in the class of Child Support Specialist, Department of Child Support Services, Range A; or
2. One year of experience performing increasingly responsible collection duties at a level comparable in responsibility to the Child Support Specialist, Department of Child Support Services (this experience must be beyond that required to satisfy the minimum qualifications of the class); or
3. The equivalent to graduation from college with at least one course each in basic accounting or Federal or State business or commercial law and one course in either economics, business administration, or public administration.

Range C. This range shall apply to individuals who have satisfactorily completed 12 months of experience in the class of Child Support Specialist, DCSS, Range B.

6. That the following resolutions be adopted:

a. WHEREAS the State Personnel Board on January 14, 2009, established the deep classes with alternate range levels as indicated below in Column II; and the duties and responsibilities of the corresponding alternate range levels of the deep class were substantially included in the previously existing alternate ranges of the deep classes in Column I; and

WHEREAS the knowledge and abilities required for the deep class alternate range levels indicated in Column II were substantially tested for in the examination held for the classes listed in Column I: Therefore be it

RESOLVED, that any person in the Department of Child Support Services with civil service status in the alternate range of the deep class indicated in Column I on January 14, 2009, shall be reallocated to the corresponding alternate range of the deep class as indicated in Column II and hereby granted the same civil services status in that class without further examination; and be it further

RESOLVED, that any existing employment lists other than reemployment lists established for the classes indicated in Column I shall be used to certify to fill vacancies in deep classes indicated in Column II as directed by the Executive Officer of the State Personnel Board until such lists are abolished, exhausted, or superseded by lists for the classes indicated in Column II.

<u>Column I</u>	<u>Column II</u>
Tax Technician, Franchise Tax Board, Range A	Child Support Technician, Department of Child Support Services, Range A
Tax Technician, Franchise Tax Board, Range B	Child Support Technician, Department of Child Support Services, Range B
Compliance Representative, Franchise Tax Board, Range A	Child Support Specialist, Department of Child Support Services, Range A
Compliance Representative, Franchise Tax Board, Range B	Child Support Specialist, Department of Child Support Services, Range B
Compliance Representative, Franchise Tax Board, Range C	Child Support Specialist, Department of Child Support Services, Range C

b. WHEREAS the State Personnel Board on January 14, 2009, established the class indicated below in Column II; and the duties and responsibilities of this class were substantially included in the existing class indicated below in Column I; and

WHEREAS the knowledge and abilities required for the class indicated below in Column II were substantially tested for in the examination for the corresponding class indicated in Column I: Therefore be it

RESOLVED, That any person in the Department of Child Support Services with civil service status in the class indicated in Column I on January 14, 2009, shall be reallocated to the appropriate class as indicated in Column II and hereby granted the same civil service status in that class without further examination.

RESOLVED, That any existing employment lists other than reemployment lists established for the classes indicated in Column I shall be used to certify to fill vacancies in the class indicated in Column II as directed by the Executive Officer of the State Personnel Board until such lists are abolished, exhausted, or superseded by lists for the class in Column II.

Column I

Senior Compliance Representative,
Franchise Tax Board

Column II

Senior Child Support Analyst, Department
of Child Support Services

c. WHEREAS Title 2, California Code of Regulations Section 431 states “unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for a class is used to make salary comparison”, and

WHEREAS alternate ranges within the new class of Child Support Technician, Department of Child Support Services are being established parallel to the levels of the existing class of Tax Technician, Franchise Tax Board; and

WHEREAS placement in each alternate range of the class of Child Support Technician, Department of Child Support Services represents recognition of a higher level of knowledge, skill, ability, experience or eligibility which each appointee can acquire through experience in the class of Child Support Technician, Department of Child Support Services or comparable or higher level classes; and

WHEREAS as the result of a permanent appointment to each alternate range, an appointee gains status in the range to which he/she is appointed as though each range is a separate class by qualifying for placement in that range through transfer, reinstatement, demotion, or satisfying the alternate range criteria: Therefore be it

RESOLVED, That salary Range A and B for the class of Child Support Technician, Department of Child Support Services may be used individually as if each represents the salary range of a separate class to make salary comparisons for discretionary actions between the class of Child Support Technician, Department of Child Support Services and other classes; and be it further

RESOLVED, That for the class of Child Support Technician, Department of Child Support Services the maximum currently authorized for Range B of the class shall be the salary used to make salary comparisons for mandatory actions.

d. WHEREAS Title 2, California Code Regulations Section 431 states “unless otherwise provided by resolution of the board, the maximum rate of the lowest salary range currently authorized for the class is used to make salary comparison”, and

WHEREAS alternate ranges within the new class of Child Support Specialist, Department of Child Support Services are being established parallel to the levels of the existing class of Compliance Representative, Franchise Tax Board; and

WHEREAS placement in each alternate range of the class of Child Support Specialist, Department of Child Support Services represents recognition of a higher level of knowledge, skill, ability, experience or eligibility which each appointee can acquire through experience in the class of Child Support Specialist, Department of Child Support Services or comparable or higher level classes; and

WHEREAS as the result of a permanent appointment to each alternate range, an appointee gains status in the range to which he/she is appointed as though each range is a separate class by qualifying for placement in that range through transfer, reinstatement, demotion, or satisfying the alternate range criteria: Therefore be it

RESOLVED, That salary Range A, B and C for the class of Child Support Specialist, Department of Child Support Services may be used individually as if each represents the salary range of a separate class to make salary comparisons for discretionary actions between the class of Child Support Specialist, Department of Child Support Services and other classes; and be it further

RESOLVED, That for the class of Child Support Specialist, Department of Child Support Services the maximum currently authorized for Range C of the class shall be the salary used to make salary comparisons for mandatory actions.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: JJ15
Class Code: 8623
Established: 1/14/09
Revised: --
Title Changed: --

CHILD SUPPORT TECHNICIAN, DEPARTMENT OF CHILD SUPPORT SERVICES

DEFINITION

Under general supervision, to perform paraprofessional tasks of child support collection, and regulation and policy enforcement at the Department of Child Support Services; and to do other related work.

TYPICAL TASKS

Collection Program: Respond via telephone, correspondence, and the internet to contacts regarding automated enforcement actions and Non IV-D payment issues; analyze less complex collection accounts to determine what action is appropriate and the type of action warranted; initiate action to secure and evaluate financial statements; request parent information from various agencies; collect information from various databases to determine information associated with noncustodial parents; review and analyze child support enforcement requests; recommend payment arrangement plans; initiate and respond to correspondence regarding child support cases including interstate and international; apply business rules to identify the appropriate county to work multicounty collections; make calls to employers to collect information needed to process Non IV-D suspended collections; and perform other related duties.

Program Support: Perform paraprofessional, staff, or administrative duties equivalent to the above duties in support of the Department's programs. This includes completion of the less complex research, analysis, modification, and implementation of legislative proposals, operational changes, and quality maintenance procedures and systems used to support and maintain the Department's operational programs; and perform other related duties.

MINIMUM QUALIFICATIONS

Either I

Experience: One year of experience in the California state service performing duties at a level of responsibility equivalent to that of an Office Assistant (General), Range B, which includes performing duties that involve customer or public contact.

Or II

Experience: One year of technical experience in either county child support caseload management or county child support financial, accounting, or statistical record keeping experience involving extensive public contact.

Or III

Education: Sixty semester or ninety quarter units of college which must include at least two courses in basic accounting or at least one course each in basic accounting and business or commercial law (persons who will complete the course work requirements during the current quarter or semester will be admitted to the examination, but must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment).

Or IV

Experience: Three years of increasingly responsible experience in a financial, commercial, or governmental establishment, at least one year of which shall include one or a combination of activities involving the (1) marketing, distribution, and sale of merchandise; (2) approval of loans; (3) collection on delinquent accounts; or (4) contact or client-customer services which involves the explanation of policies, regulations, or procedures for a public agency or private institution such as a bank, insurance company, credit bureau, or title company.

KNOWLEDGE AND ABILITIES

Knowledge of: Provisions of the rules, regulations, organization, and procedures of the Department of Child Support Services; business and financial practices; the sources, including automated and nonautomated databases and sources of information used to locate individuals and assets; effective and assertive interviewing techniques; child support enforcement and collection procedures; current office methods, technologies, and equipment; mathematics; and English language usage, grammar, and spelling.

Ability to: Read, understand, apply, and explain Federal and California child support laws and regulations and the Department's procedures and policies; analyze and interpret written and numerical data accurately and adopt an effective course of action; perform arithmetic calculations and understand financial records; communicate effectively and tactfully; elicit information from difficult, disagreeable, hostile, and/or uncooperative individuals; research and analyze situations and factual information and take effective action; prepare complete and concise oral and written reports; maintain confidentiality; establish and maintain effective working relationships; exercise tact, diplomacy, and flexibility; operate computer equipment and utilize computer databases and programs common to child support enforcement activities; accurately and quickly enter data into a computerized database; recognize questions or situations outside the employee's area of responsibility or knowledge and refer

them to appropriate sources; utilize automated tools to communicate with customers; and work productively in a team environment.

SPECIAL PERSONAL CHARACTERISTICS

Employees should have a demonstrated capacity for assertiveness, firmness, and discretion in communications with the public, while maintaining courtesy, efficiency, and effectiveness.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

CHILD SUPPORT SPECIALIST, DEPARTMENT OF CHILD SUPPORT SERVICES
Series Specification
(Established January 14, 2009)

SCOPE

This series specification describes two classes which perform technical, analytical, and consultative tasks in order to resolve child support accounts in accordance with the provisions in statute, regulation, and policy governing child support enforcement programs.

<u>Schem</u> <u>Code</u>	<u>Class</u> <u>Code</u>	<u>Class</u>
JJ10	8624	Child Support Specialist, Department of Child Support Services
JJ05	8625	Senior Child Support Analyst, Department of Child Support Services

DEFINITION OF SERIES

Incumbents in this series perform technical, analytical, and consultative work in the Department of Child Support Services. Incumbents perform collection activities to resolve child support arrearage accounts for those cases in which the automated systems' collection activities and processes have been unsuccessful; utilize various databases to assist them to locate noncustodial parents (NCP) and their assets; ensure collections are distributed to the appropriate county and custodial parent; evaluate payment arrangements and hardship recommendations to determine if they are appropriate; research and respond to questions and requests for policy clarification from local child support agencies (LCSAs), staff from welfare programs, and other state/federal programs; research and prepare response to public, legislative, and congressional inquiries; gather and analyze longitudinal data and statistical information provided by LCSAs, FTB, and other sources, and prepare reports discussing trends and make recommendations; perform central financial management work on both IV-D and non-IV-D cases and statewide collections of child support payments; assist in user development and maintenance of a statewide system for centralized payment processing; monitor and evaluate service provider contract provisions; evaluate and determine if operations, policies, and procedures are effective; make recommendations regarding operations enhancements regarding design, testing and conversion activities; research and develop automated system change requests; analyze interagency agreements and budget needs analysis; maintain and update system requirements, identifying enhancements and/or improvements; request statistics and reports to perform analysis for future business needs and forecasting; create and maintain spreadsheets, collecting and analyzing data to

evaluate trends and report to management; work on policy development and evaluation and recommend policies and procedures to management; make recommendations regarding requirements, design, testing, and conversion of operational activities to be automated; write answers/decisions to staff account recommendations; and participate as a team member on various projects and statewide activities.

FACTORS AFFECTING POSITION ALLOCATION

The variety, difficulty, and complexity of the work performed, independence of action; direction received; program and policy input role and implementation responsibilities; nature of contacts; and lead responsibility assigned.

DEFINITION OF LEVELS

CHILD SUPPORT SPECIALIST, DEPARTMENT OF CHILD SUPPORT SERVICES

This is the recruiting, developmental, and first journey level in this series. Under supervision, work and maintain an inventory of manual child support collection/dishonored payments; locate, analyze, and validate NCP account information including all assets; write and submit case resolution summaries; document actions taken on accounts (e.g., skip tracing, phone contacts, and/or correspondence sent); review Child Support Technician, Department of Child Support Services, staff work and recommendations; research and resolve customer service financial inquiries; provide leadership and guidance by acting as a technical expert, reviewing the more complex work of Technicians within the team; recommend actions that may be taken to improve the quality of collection accounts and the timeliness of actions; assist in identifying the training and development needs of each member of the team; conduct formal and informal training; work with other leads to develop and maintain consistent guidelines for review and recommend improvements that will produce a more efficient flow of work within the program; represent the work unit at external and internal meetings; prepare reports discussing trends and make recommendations; and provide procedures to LCSA representatives regarding roles and responsibilities of LCSAs and State regarding nonsufficient fund (NSF) collections.

SENIOR CHILD SUPPORT ANALYST, DEPARTMENT OF CHILD SUPPORT SERVICES

This is the advanced journey level in this series. Under general supervision, provide technical expertise to staff regarding child support debt collection issues; provide lead assistance to either Child Support Specialists, Department of Child Support Services, or Child Support Technicians, Department of Child Support Services; provide training to new staff, and ongoing training regarding the use

of research tools for job effectiveness; work with other leads to develop and maintain consistent guidelines for review and recommend improvements that will produce a more efficient flow of work within the program; develop issue papers; prepare status reports and briefing documents and present oral briefings as requested; review completed staff work on child support accounts for resolution; recommend and document procedural guidelines; analyze and evaluate the more difficult issues which involve special handling and/or requests from LCSAs or other offices within the Department of Child Support Services; determine family violence concerns; coordinate inter-group activities and act as a liaison with other units; review and analyze documents for purposes of substantiation or rebuttal to staff recommendations; evaluate the progress of Specialist, Department of Child Support Services/Technician, Department of Child Support Services, and identify specific examples for input into the supervisor's employee performance evaluations; review and resolve complex and sensitive compliance issues with county clients, debtors, and their representatives; analyze legislation and provide recommendations; provide direct customer service by responding to the more complex public inquiries and complaints escalated by the Service Provider Contractor (SP) customer service staff; delegate incoming services requests from Central Financial Workers-Local (CFW-Ls) to the Statewide Disbursement Unit (SDU) and escalated calls from Enterprise Customer Service Center (ECSS participates in, researches, and drafts such as SP and Business Partner (BP) contract change requests (CRs) and budget change proposal (BCP) analysis; develop interagency agreements and contracts and work cooperatively with other sections within the Department of Child Support Services, LCSAs, and other outside agencies; provide leadership and guidance to passport release program (PRP) staff; recommend actions that may be taken to accelerate the collection and compliance of each obligor not meeting criteria for passport release; request statistics/reports to perform analysis for future business needs and forecasting; maintain and update the Child Support Enforcement system (CSE) employer data file; provide oversight for the SP's ongoing non-IV-D data gathering and data entry activities, including program evaluation and monitoring for compliance with contractual obligations; and serve as a subject-matter expert for SP non-IV-D data gathering/entry staff.

MINIMUM QUALIFICATIONS

CHILD SUPPORT SPECIALIST, DEPARTMENT OF CHILD SUPPORT SERVICES

Either I

Six months of experience in the California state service performing debt collection, child support collection or analysis, or related financial management duties equivalent to a Child Support Technician, Department of Child Support Services, Range B.

Or II

One year of experience in the California state service performing debt collection, child support information, or financial processing duties in a class equivalent in level to a Program Technician II.

Or III

Experience: One year of county child support caseload management and/or county child support fiscal/financial management experience that includes the collection, disbursement, and tracking of county child support accounting functions comparable in responsibility to a Child Support Technician, Department of Child Support Services, Range B.

and

Education: Equivalent to completion of 60 semester or 90 quarter units of college, which must include at least one course each in basic accounting or Federal or State business or commercial law. Students who have completed at least 30 semester or 45 quarter units of college will be admitted to the examination, but must produce evidence of completion of the 60 or 90 units before they can be considered eligible for appointment. (Applicants must indicate the following regarding the required courses: title, number of units, name of institution, and completion date.) Additional experience may be substituted for the required general education on the basis of one year of experience being equal to 30 semester or 45-quarter units. No substitution is permitted for the specific course work required.

Or IV

Experience: One year of experience, or the equivalent, in one or a combination of the following:

1. Management activities, as owner or manager of a business, in the marketing, distribution, and sale of merchandise, which requires broad public or customer contacts. or
2. Activities as a credit manager, loan officer, or collector with responsibilities involving the approval of loans or credit or the collection of delinquent accounts.

and

Education: Equivalent to completion of 60 semester or 90 quarter units of college, which must include at least one course each in basic accounting or Federal or State business or commercial law. Students who have completed at least 30 semester or 45 quarter units of college will be admitted to the examination, but must produce evidence of completion of the 60 or 90 units before they can be considered eligible for appointment. (Applicants must indicate the following regarding the required courses: title, number of units, name of institution, and completion date.) Additional experience may be substituted for the required general education on the basis of one year of experience being equal to 30 semester or 45-quarter units. No substitution is permitted for the specific course work required.

Or V

Equivalent to graduation from college, which must include at least one course each in basic accounting or Federal or State business or commercial law; and one course in either economics, business

administration, or public administration. (Registration as a senior in a recognized institution will admit applicants to the examination, but they must produce evidence of graduation or its equivalent before they can be considered eligible for appointment.) (Applicants must indicate the following regarding the required courses: title, number of units, name of institution, and completion date.)

Persons who will complete course work requirements outlined under Patterns III, IV, and V above during the current quarter or semester will be admitted to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.

SENIOR CHILD SUPPORT ANALYST, DEPARTMENT OF CHILD SUPPORT SERVICES

Either I

One year of experience in the California state service performing the duties equivalent to a Child Support Specialist, Department of Child Support Services, Range C.

Or II

One year of experience performing the duties of a Staff Services Analyst, Range C; or performing duties involving evaluating child support program situations/issues and developing recommendations on program planning and evaluation, analyzing child support legislation, and/or technology research or methods.

Or III

Experience: One year of county child support caseload management or collection and/or county child support fiscal/financial management experience that includes the collection, disbursement, and tracking of county child support accounting functions comparable in responsibility to a Child Support Specialist, Department of Child Support Services.

and

Education: Equivalent to completion of 60 semester or 90 quarter units of college, which must include at least one course each in basic accounting or Federal or State business or commercial law. Students who have completed at least 30 semester or 45 quarter units of college will be admitted to the examination, but must produce evidence of completion of the 60 or 90 units before they can be considered eligible for appointment. (Applicants must indicate the following regarding the required courses: title, number of units, name of institution, and completion date.) Additional experience may be substituted for the required general education on the basis of one year of experience being equal to 30 semester or 45-quarter units. No substitution is permitted for the specific course work required.

Persons who will complete course work requirements outlined above during the current quarter or semester will be admitted to the examination, but they must produce evidence of successful completion of the curriculum and the prescribed courses before they may be considered eligible for appointment.

KNOWLEDGE AND ABILITIES

CHILD SUPPORT SPECIALIST, DEPARTMENT OF CHILD SUPPORT SERVICES

Knowledge of: Basic accounting practices; types of business organizations; basic business practices and management; programs, policies and Federal and State laws governing DCSS; the functions, applications, or processes administered and performed by the department; effective and assertive interviewing techniques; compliance and enforcement techniques and procedures; and the information technology systems relevant to work, including automated and nonautomated databases and sources of information used to locate individuals and assets.

Ability to: Communicate effectively; reason logically and creatively and utilize a variety of analytical techniques to evaluate situations, resolve problems, and develop solutions; analyze child support case and account history and patterns of payments; link and unlink child support participants; exercise good judgment; provide excellent customer service using good communication skills; provide good resolutions to problems; prepare complete and concise reports; maintain confidentiality; utilize automated tools to communicate with customers; establish and maintain effective working relationships with others in a team environment.

SENIOR CHILD SUPPORT ANALYST, DEPARTMENT OF CHILD SUPPORT SERVICES

Knowledge of: All of the above, and principles and practices of State administrative and legislative processes; functions and organization of various agencies involved in child support programs; child support case management knowledge; suspended collections knowledge; and methods to resolve suspended and misallocated child support collections.

Ability to: All of the above, and exercise independent judgment; utilize a variety of analytical techniques to resolve problems; apply program knowledge in analyzing, evaluating, and resolving complex problems; analyze data and present ideas and information effectively; consult, advise, and represent the Department on a wide variety of

subject-matter areas; provide technical assistance to staff; train and develop staff; provide input to supervisors regarding staff performance.

SPECIAL PERSONAL CHARACTERISTICS

BOTH LEVELS:

Employees should have a demonstrated ability to act independently with initiative, flexibility, and tact; demonstrate the capacity for assertiveness, firmness, and discretion in communications with the public, while maintaining courtesy, and efficiency, and effectiveness.

CLASS HISTORY

<u>Class</u>	<u>Date Established</u>	<u>Date Revised</u>	<u>Title Changed</u>
Child Support Specialist, Department of Child Support Services	1/14/09	--	--
Senior Child Support Analyst, Department of Child Support Services	1/14/09	--	--

TO: STATE PERSONNEL BOARD

FROM: Karen Coffee, Deputy Director, Human Resources
California Prison Health Care Services

SUBJECT: Proposed establishment of a new classification, Director of Clinical Operations (Ancillary Services), CEA with a one year probationary period.

SUMMARY OF ISSUES:

Federal Court Receiver Clark Kelso requests the establishment of a classification entitled Director of Clinical Operations (Ancillary Services), CEA in order to create an effective clinical management structure within the California Department of Corrections and Rehabilitation's adult institutions and health care facilities. This executive position will provide leadership for ancillary patient care services and support functions at the Receiver's new and existing facilities, including Pharmacy, Radiology, Laboratory, Optometry, Podiatry, Respiratory, Dietary, Rehabilitation Services, Health Information Management, and Telemedicine.

CONSULTED WITH:

Julie Chambers, Department of Personnel Administration
John Hagar, California Prison Health Care Services
Dr. Terry Hill, California Prison Health Care Services
Tim Rougeux, California Prison Health Care Services

BACKGROUND:

On February 14, 2006, the United States District Court for the Northern District of California appointed Receiver Robert Sillen and set forth his duties in the Order Appointing Receiver ("Order").

The Order confers responsibility upon the Receiver to manage the California prison medical health care delivery system with the goal of restructuring the day-to-day operations and developing, implementing and validating a new, sustainable system that provides for constitutionally-adequate medical care as soon as practicable.

To this end, the Receiver has the Court ordered duty:

"...to control, oversee, supervise and direct all administrative, personnel, financial, accounting, contractual, legal and other operational functions of the medical delivery component of CDCR."
(Order Appointing Receiver, p.2, lines 15-17)

The Order further provides the Receiver:

“...shall exercise all powers vested by law in the Secretary of CDCR as they relate to the administration, control and management, operation and financing of the California prison medical health care system.” (Order Appointing Receiver, lines 4-7)

Among the Receiver’s specified powers are:

“...the ability to hire, fire, suspend, supervise, promote, transfer, discipline and take all other personnel actions regarding CDCR employees or contract employees who perform services related to the delivery of medical health care.” (Order Appointing Receiver, p.4, lines 13-17)

The Order also empowers the Receiver to:

“...establish personnel policies and to create, abolish or transfer positions related to the delivery of medical health care to class members.”

On July 3, 2007, an Order Re Receiver’s Motion for Waiver of State Law re Receiver’s Career Executive Assignments was issued, which recognized that:

“...the lack of medical leadership has...profound consequences for the delivery of medical care...[and] remedying the unconstitutional medical conditions within CDCR will necessarily require the infusion of new medical care executives/administrators who are well qualified and committed to revamping the current dysfunctional system and establish a culture of competence and professionalism.” (Order Re Receiver’s Motion Re...Receiver Career Executive Assignments, p.5, lines 16-20)

“...the Receiver can only succeed in this goal if he is able to hire medical health care executives/administrators through an open, competitive process that includes applicants from inside or outside State service.”

The Court ordered the Receiver and State Personnel Board (SPB) to meet and confer, and thereafter submit a joint report regarding whether they were able to agree upon “a mechanism for hiring medical health care executives/administrators for the CDCR” consistent with its Order.

On August 20, 2007, the SPB and Receiver entered into a stipulation regarding a mechanism for satisfying the objectives of the Receiver and the legitimate concerns raised by the Receiver and the SPB, in a manner consistent with the California Constitution. On September 11, 2007, the stipulation was adopted as an order of the Court.

Since that time, five classifications have been established under the auspices of this order. Each of these classifications allows for the employment of many incumbents in varying assignments. Unlike previous classification requests, this proposal establishes a one position class, CEA that will provide leadership for ancillary patient care services and support functions at the Receiver's new and existing facilities, including Pharmacy, Radiology, Laboratory, Optometry, Podiatry, Respiratory, Dietary, Rehabilitation Services, Health Information Management, Telemedicine, Biomedicine and Transcription/Dictation.

The Director of Clinical Operations (Ancillary Services), CEA is a healthcare executive with comprehensive planning, development, and management responsibility for ancillary patient care services and support functions at the Receiver's new and existing facilities. This position organizes management oversight for a diverse and complex portfolio of ancillary patient care services and support functions essential for the delivery of a constitutionally adequate level of care.

The classification includes minimum education, and experience requirements, desirable qualifications, special personal characteristics, and core competencies identified by subject matter experts as essential to successful job performance.

PROBATIONARY PERIOD:

A one year probationary period is appropriate for this class due to the professional nature of the job duties and the annual cyclical nature of some key managerial job duties.

SELECTION AND APPOINTMENT CONSIDERATIONS:

Recruitment to fill this position will focus on potential candidates within and outside state government. Initial examination and appointment into the class will be based on the degree to which candidates possess or exceed the minimum qualifications and desirable education and experience requirements. Possession of core competencies will be assessed during the hiring process as well as during the one year probationary period, the final phase of the selection process.

RECOMMENDATION:

That the classification of Director of Clinical Operations (Ancillary Services), CEA be established with a one-year probationary period; and that the proposed specification as shown in this calendar be adopted effective March 24, 2009.

DIRECTOR OF CLINICAL OPERATIONS (ANCILLARY SERVICES), CEA CALIFORNIA PRISON HEALTH CARE SERVICES

SCOPE

Under general direction of the Receiver and the leadership of the California Prison Health Care Services, the Director, Clinical Operations (Ancillary Services), is a healthcare executive with comprehensive planning, development, and management responsibility for ancillary patient care services and support functions at the Receiver's new and existing facilities, including Pharmacy, Radiology, Laboratory, Optometry, Podiatry, Respiratory, Dietary, Rehabilitation Services, Health Information Management, and Telemedicine. The incumbent in this position must be highly specialized and experienced in healthcare operations at the administrative leadership level.

TYPICAL TASKS

Organizes management oversight for a diverse and complex portfolio of ancillary patient care services and support functions in order to provide high-quality, cost-effective and integrated clinical programs throughout existing and new facilities; develops statewide positions and performance expectations as needed for areas of responsibility; recruits, mentors, and supervises program managers; coordinates, through accountable management personnel, the establishment of major schedules, task assignments and allocation of staffing and equipment to ensure conformance with organizational objectives and policies; coordinates the determination of fiscal requirements of assigned departments and budgetary recommendations (capital and operating); monitors, verifies, and reconciles expenditure of budgeted funds; facilitates synergistic relationships with community providers and other stakeholders; negotiates and manages contracts with vendors as needed; participates in creating and implementing utilization criteria for ancillary patient care services and works with local, regional, and statewide staff to facilitate criteria-based utilization; coordinates and presents analyses reflecting current and anticipated volume of work, procedures utilized, and performance, describing progress and adverse trends and making appropriate recommendations; develops productivity and performance standards for ancillary patient care services and support functions; participates in developing and implementing quality measurement systems and quality improvement initiatives; assesses and communicates recommendations for utilization of space, space needs, personnel and other resources as needed to meet patient needs in existing and new facilities; participates in developing and/or selecting clinical documentation tools and enterprise-wide information technology solutions and serves as subject matter expert as needed; coordinates evaluations and recommendations of supplies, equipment, and peripheral technologies; participates as an executive leader in developing and implementing coherent health care policies and practices for both existing prisons and new facilities; ensures that all services and patient recordkeeping are in compliance with administrative standards, laws, and regulations, including those regarding safety, environmental and infection control; ensures that institutions statewide have effective systems for certifying competence to perform clinical duties; works to ensure that ancillary patient care services and support functions are integrated across

medical, nursing, dental, mental health and custody domains such that care is safe, effective, timely, efficient and patient-centered; facilitates positive interdisciplinary collaboration, work culture enhancement, internal communication, and consensus-building; and collaborates with other executives on staff professional development and educational programs.

MINIMUM QUALIFICATIONS

Masters degree in health care administration or other related health care field.

Five years of managerial experience in a comprehensive medical setting, at least two years of which must have been over a defined medical program with full authority to hire, evaluate, conduct quality reviews, and have responsibility for practical practice development and discipline.

ADDITIONAL DESIRABLE QUALIFICATIONS

Empathetic understanding of patients of a State correctional facility; willingness to work in a State correctional facility; emotional stability; patience; tact; alertness; and keenness of observation. Willingness to work with inmate patients in State correctional institutions.

REQUIRED CORE COMPETENCIES

Professional/technical expertise: Is comprehensively knowledgeable of the most current information, techniques, practices, laws, and regulations of the field; has clear developmental record of formal and on-the-job acquisition of knowledge and skills of the occupation; uses knowledge and judgment in applying appropriate methods and techniques to ensure speed, quality, and consistency in work products; and handles the most challenging tasks requiring technical expertise.

Customer and patient focus: Shows interest in and understanding of the needs, expectations, and circumstances of internal and external customers and patients at the individual, group, or organizational level; explores options and pursues solutions to resolve issues of customers or patients; is responsive, pleasant, and professional; looks at the organization and its services from the customer's and patient's point of view; and seeks and uses customer and patient feedback to improve services or products.

Teamwork: Understands his/her role on the team, yet does whatever is needed to make the team successful; helps team members who need or ask for support or assistance; puts team results ahead of personal success; brings out the best in others on the team; and shares credit for group accomplishments.

Valuing diversity: Sees the benefit of having differing backgrounds and points of view in the workplace, and leverages those differences in group processes and decision making; and supports professional development and career opportunity equally for all.

Managing performance: Sets and aligns individual performance goals with the goals of the unit; involves employees in setting their performance goals; ensures employees have the means and skills to accomplish their goals; tracks and measures individual and unit performance; provides ongoing feedback; treats all employees in an objective and consistent manner; and intervenes to correct poor performance, following steps of progressive discipline.

Leadership: Creates a positive work environment in which all staff are motivated to do their best; ensures that clear, challenging, and attainable goals are set for a group and that these goals are aligned with the goals of the organization/department; ensures that the importance and benefits of goals and methods are understood and accepted by those who will carry them out; and conveys confidence and optimism in the group's ability to overcome obstacles and accomplish its goals.

Planning and organizing: Determines the logically necessary sequence of activities and the efficient level of resources needed to achieve a goal; recognizes and addresses the interdependencies of activities and resources; clarifies roles and responsibilities; anticipates problems and mitigates risks; and produces a realistic schedule of completion.

Organizational savvy: Understands the inner workings and interrelationships of the organization; knows whose support is needed to cut red tape; gets things done through formal channels and informal networks; maintains good working relationships with key players throughout the organization; and aligns and maneuvers organizational resources and internal politics skillfully to solve problems or accomplish goals.

Process improvement: Knows how to separate and combine activities into efficient workflow; benchmarks best practices in the industry; knows what to measure and how to measure it for tracking quality, quantity, schedule, resource utilization, and customer feedback; knows how to identify process problems and opportunities for improvement and simplification; and leverages technology.

Developing others: Coaches others regardless of performance level; shows insight into causes of poor performance and how performance can be improved; shares knowledge and expertise willingly; offers on-going feedback, suggestions, and encouragement; acknowledges progress and growth; and supports others' career development plans.

Managing change: Understands the dynamics of organizational change; knows and guides the planning, process changes, role redefinition, retraining, incentive, and communication steps in transitioning from one organizational state to another; involves key stakeholders in planning and decision making; maintains a high level of communication about the reasons, benefits, opportunities, and difficulties of change; and encourages others and supports them through the transition.

Strategic view: Focuses on the future and where current trends will lead; understands the factors that are shaping the industry and anticipates the opportunities that will be opening and closing; keeps an eye on the big picture and long-range possibilities and implications; and makes, evaluates, and revises long-range plans and goals taking into consideration the organization's core competencies, customers, competition, available resources, and strengths and weaknesses.

Assessing Talent: Understands and recognizes the qualities that differentiate highly successful employees from the average ones; is an astute observer of others' performance; shows skill in asking questions and eliciting detailed and accurate information regarding others' capabilities and weaknesses; and reaches well-articulated conclusions regarding others' strengths and developmental needs.

Relationship Building: Develops and maintains work relationships and continuously works to improve relationships, contacts, and network; maintains an open and approachable manner and easily builds rapport with others; respects others regardless of differences in interest, perspectives, background, and organizational level; and treats others sensitively, fairly, and consistently.

Negotiating: Gains rapport and trust from other parties; works from a strong knowledge base; wins concessions from others; seeks mutually agreeable trade-offs in deal-making; questions and counters others' proposals without damaging relations; holds ground appropriately; and knows how to walk away amicably with the best deal possible.

Handling Conflict: Deals with interpersonally and/or politically challenging situations calmly and diplomatically, diffusing tension; thoughtfully intervenes in conflicts to facilitate communication and resolve problems, finding common ground when possible; and handles complaints and disputes with composure and tact.

Oral Communication: Uses correct vocabulary and grammar; presents information clearly and in an organized manner; gets to the point; questions others skillfully; recognizes nonverbal cues in listeners and adjusts speech and tone accordingly; adjusts word choice according to the audience and purpose; and uses tone, inflection, pauses, and body language for increased impact.

SPECIAL PERSONAL CHARACTERISTICS

Incumbents must possess the willingness to work in a correctional facility; possess a sympathetic and objective understanding regarding the problems of inmate-patients; and be tactful and patient.

CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions. The first section lists position actions that have been proposed and are currently under consideration. Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Consulting Services Division of the State Personnel Board, and the department proposing the action. To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication. In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and the State Personnel Board approves it, the action becomes effective without further action by the Board. The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

(1) DIRECTOR, INVESTIGATIONS BUREAU

The Franchise Tax Board proposes revision to the existing CEA allocation for the above position. The incumbent plans, organizes, and directs the department's Criminal Tax Compliance Program and the Internal Affairs Investigation Program.

(2) CHIEF, MEDICAL REVIEW BRANCH, AUDITS AND INVESTIGATIONS

The Department of Health Care Services proposes revision to the existing CEA allocation for the above position. This position has full program management and supervisory responsibility for the statewide audit of medical provider billing for equipment, services, and pharmaceuticals, under the California Medi-CAL program.

(3) AMERICANS WITH DISABILITIES ACT INFRASTRUCTURE PROGRAM MANAGER

The Department of Transportation requests to allocate the above position to the CEA category. The incumbent will be responsible for updating and expanding the Department's ADA Transition Plan.

(4) DEPUTY DIRECTOR, ADMINISTRATIVE SERVICES

The California Unemployment Insurance Appeals Board requests to allocate the above position to the CEA category. This position will be responsible for planning, organizing, and directing three major administrative support functions: budgets, human resources, and business services, and is a key member of the Executive Management Team.

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

(1) DEPUTY DIRECTOR, INFORMATION TECHNOLOGY SERVICES DIVISION

The California State Lottery's request to revise the above position was approved effective February 25, 2009.

(2) CHIEF OF MEDICAL SUPPORT OPERATIONS, (SACRAMENTO/FOLSOM, SAN QUENTIN, AND MULE CREEK)

The California Prison Health Care Services' request to allocate the above three positions to the CEA category was approved March 10, 2009.

SUBMITTED ITEMS NOT SCHEDULED FOR ACTION

These items have been taken under submission by the State Personnel Board at a prior meeting and are not scheduled for action at this meeting.

A. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION'S PROPOSED ESTABLISHMENT OF NEW CLASS, MENTAL HEALTH THERAPIST

Department of Corrections and Rehabilitation proposed the establishment of a new class, Mental Health Therapist, Correctional Facility, with a twelve month probationary period and designation of the class as sensitive under State Personnel Board Rule 213 for the purpose of pre-employment drug testing.

B. RECEIVER'S CLINICAL ADMINISTRATOR

The California Prison Health Care Services requests establishment of the above position in order to create a clinical management structure within the California Department of Corrections and Rehabilitation's adult institutions.

C. RECEIVER'S REQUEST FOR DELEGATION AND MODIFICATION TO PROCESSES

The Receiver's Office requested the Board delegate several classification functions to the Receiver's Office, subject to Board audit, and requested the Board approve revised procedures for reviewing examination and classification requests submitted by the Receiver's Office.

SUBMITTED ITEMS SCHEDULED FOR ACTION

These items have been taken under submission by the State Personnel Board at a prior meeting and are scheduled for action at this meeting.

NONE

EVIDENTIARY CASES

A. ADMINISTRATIVE LAW JUDGES' PROPOSED DECISIONS AFTER HEARING

The Board Administrative Law Judges (ALJ) conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

These are ALJ proposed decisions submitted to the Board for the first time.

(1) CASE NO. 06-2446B

Appeal for reinstatement, back pay and benefits following settlement of appeal of rejection during probation

Classification: Motor Vehicle Field Representative

Department: Department of Motor Vehicles

(2) CASE NO. 05-0113E

Whistleblower Complaint

Classification: Associate Governmental Program Analyst

Department: California Highway Patrol

(3) CASE NO. 08-2059

Appeal from dismissal

Classification: Correctional Officer

Department: Department of Corrections and Rehabilitation

(4) CASE NO. 07-2972

Appeal from five percent reduction in salary for three pay periods

Classification: Registered Nurse

Department: Department of Corrections and Rehabilitation

(5) CASE NO. 08-1229

Appeal from non-punitive termination

Classification: Clinical Social Worker

Department: Department of Mental Health

(6) CASE NOS. 07-1710E, 07-1711 & 07-1718

Appeal from a 10 day suspension, dismissal and a Whistleblower Retaliation Complaint

Classification: Painter I

Department: Department of Mental Health

- (7) **CASE NO. 08-3422**
Appeal for Discrimination Complaint
Classification: Parole Agent III
Department: Department of Corrections and Rehabilitation
- (8) **CASE NO. 07-5059**
Appeal from dismissal
Classification: Office Assistant
Department: Department of Corrections and Rehabilitation
- (9) **CASE NO. 08-0737**
Appeal from dismissal
Classification: Psychiatric Technician
Department: Department of Developmental Services
- (10) **CASE NO. 07-2364**
Appeal from official reprimand
Classification: Staff Services Manager II
Department: Department of Child Support Services

PROPOSED DECISIONS AFTER BOARD REMAND

NONE

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

B. PETITIONS FOR REHEARING

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

- (1) **CASE NO. 07-1359P**
Appeal from rejection during probation
Classification: Investigator I, ABC
Department: Department of Alcoholic Beverage Control
- (2) **CASE NO. 05-0627BP**
Appeal for back pay
Classification: Field Examiner III
Department: Agricultural Labor Relations Board
- (3) **CASE NO. 08-4324P**
Appeal from termination with cause
Classification: Firefighter
Department: Forestry and Fire Protection

- (4) **CASE NO. 04-2610P & CASE NO. 04-2609P**
Appeals from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation

C. PENDING BOARD REVIEW

These cases are pending preparation of transcripts, briefs, or the setting of oral argument before the Board. No materials included.

- (1) **CASE NO. 04-2605A, CASE NO. 04-2614A, CASE NO. 04-2606A, CASE NO. 04-2607A, CASE NO. 04-2608A, CASE NO. 04-2611A**
Appeals from dismissal
Classifications: Correctional Sergeant and Correctional Officer
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for June 10, 2009.
- (2) **CASE NO. 07-3421PA**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
Petition for rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for February 11, 2009.
Oral argument continued.
Oral argument set for April 14, 2009.
Oral argument continued.
- (3) **CASE NO. 07-3302A**
Appeal from dismissal
Classification: Custodian
Department: Department of General Services
Proposed decision rejected December 16, 2009.
Transcripts prepared.
Oral argument set for May 14, 2009.
- (4) **CASE NOS. 05-4338EA & 05-4339A**
Appeal from denial of reasonable accommodation and constructive medical termination
Classification: Registered Nurse
Department: Department of Corrections and Rehabilitation
Decision rejected September 23, 2008.
Transcripts prepared.
Oral argument set for December 2, 2008, San Francisco.
Oral argument continued.
Oral argument set for February 11, 2009.
Oral argument continued.

Oral argument set for April 14, 2009.
Oral argument continued.
Oral argument set for May 14, 2009.

- (5) **CASE NO. 07-1920A**
Appeal from constructive medical separation and for benefits pursuant to Government Code section 19253.5
Classification: Parole Agent I
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
- (6) **CASE NO. 06-3735A**
Appeal from demotion
Classification: Patrol Lieutenant Supervisor
Department: Department of Fish and Game
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for May 14, 2009.
- (7) **CASE NO. 05-3443PA**
Appeal from dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Oral argument set for April 14, 2009.
- (8) **CASE NO. 07-3362PA**
Appeal from dismissal
Classification: Officer, California Highway Patrol
Department: California Highway Patrol
Petition for Rehearing granted February 25, 2009.
Pending transcripts.
- (9) **CASE NO. 08-0440PA**
Appeal from dismissal
Classification: Correctional Sergeant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for May 14, 2009.
- (10) **CASE NO. 07-0940A**
Appeal from denial of reasonable accommodation and constructive medical termination.
Classification: Investigator, DMV
Department: Department of Motor Vehicles
Decision rejected on March 10, 2009.
Transcripts to be prepared.

- (11) **CASE NO. 07-1749PA**
Appeal from automatic resignation
Classification: Youth Correctional Officer (Permanent-Intermittent)
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for February 11, 2009.
Oral argument continued.
Oral argument set for April 14, 2009.
- (12) **CASE NO. 07-0996PA**
Appeal from dismissal
Classification: Physician & Surgeon, CF
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Transcripts prepared.
- (13) **CASE NO. 07-3440A**
Appeal from 10 percent reduction in salary for 13 months
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
- (14) **CASE NO. 06-2882A**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
Decision rejected January 14, 2009.
Transcripts prepared.
Oral argument set for April 14, 2009.
- (15) **CASE NO. 07-3873PA**
Appeal from dismissal
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted October 21, 2008.
Transcripts prepared.
Oral argument set for February 11, 2009.
Oral argument continued.
Oral argument set for April 14, 2009.
Oral argument continued.
- (16) **CASE NO. 07-1534PA**
Appeal from denial of reasonable accommodation
Classification: Supervising Registered Nurse II
Department: Department of Corrections and Rehabilitation
Petition for Rehearing granted January 27, 2009.
Pending transcripts.

(17) CASE NO. 07-1462A

Appeal from constructive demotion
Classification: Administrative Assistant
Department: California State University, Los Angeles
Decision rejected March 10, 2009.
Pending transcripts.

D. ORAL ARGUMENTS

These cases will be argued at this meeting or will be considered by the Board in closed session based on written arguments submitted by the parties. No materials included. Material provided to Board under separate cover.

NONE

E. CHIEF COUNSEL RESOLUTIONS

No materials included. Material provided to Board under separate cover.

NONE

F. PENDING BOARD DECISIONS

These Evidentiary and Non-Evidentiary items have been taken under submission by the State Personnel Board at a prior meeting. No materials included.

NONE

NON-EVIDENTIARY CASES

G. WITHHOLD APPEALS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

WITHHOLD FROM CERTIFICATION

CASES NOT HEARD BY A STAFF HEARING OFFICER

(1) CASE NO. 07-5791N

Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information, furnished inaccurate information

(2) CASE NO. 07-5796N

Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; drug use; omitted pertinent information

- (3) **CASE NO. 07-6154N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang association, gang tattoos
- (4) **CASE NO. 07-5330N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang membership
- (5) **CASE NO. 07-4823N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation, gang tattoos
- (6) **CASE NO. 07-3567N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; furnished inaccurate information
- (7) **CASE NO. 07-5323N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information, negative employment history
- (8) **CASE NO. 07-3900N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation
- (9) **CASE NO. 08-4909N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; failure to register with Selective Services (SS), failure to comply with legal obligations
- (10) **CASE NO. 08-2058N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation
- (11) **CASE NO. 07-3548N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; termination from employment for cause

- (12) **CASE NO. 08-5522N**
Classification: Youth Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information
- (13) **CASE NO. 07-5285N**
Classification: Youth Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information, gang affiliation
- (14) **CASE NO. 08-0801N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; felony conviction; driving under the influence
- (15) **CASE NO. 07-3352N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation
- (16) **CASE NO. 08-5614N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; minimum qualifications
- (17) **CASE NO. 08-0285N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information
- (18) **CASE NO. 08-5770N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information
- (19) **CASE NO. 08-1318N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Suitability; negative employment history
- (20) **CASE NO. 08-0929N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitted pertinent information, negative law enforcement contacts

- (21) **CASE NO. 07-5608N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; termination for cause within one year
- (22) **CASE NO. 07-1187N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; gang affiliation
- (23) **CASE NO. 07-3935N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; omitting pertinent information
- (24) **CASE NO. 07-3785N**
Classification: Youth Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; negative driving record
- (25) **CASE NO. 07-3639N**
Classification: Youth Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; personal relationship with an inmate and omitting pertinent information
- (26) **CASE NO. 07-3794N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug usage and marijuana usage within one year
- (27) **CASE NO. 07-6456N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; furnishing inaccurate information, omitting pertinent information, and negative employment history
- (28) **CASE NO. 08-1947N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
Issue: Suitability; hard drug use within ten years

H. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

Cases heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

CASES HEARD BY A STAFF HEARING OFFICER

- (1) **CASE NO. 07-4087N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (2) **CASE NO. 07-3752N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (3) **CASE NO. 06-4555N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (4) **CASE NO. 07-3633N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (5) **CASE NO. 07-3595N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (6) **CASE NO. 07- 4329N**
Classification: State Park Ranger Cadet
Department: Department of Parks and Recreation
- (7) **CASE NO. 07-1759N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (8) **CASE NO. 07-4555N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (9) **CASE NO. 07- 3465N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (10) **CASE NO. 07-2398N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (11) **CASE NO. 07-2277N**
Classification: Cadet, CHP
Department: California Highway Patrol

- (12) **CASE NO. 07-3634N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (13) **CASE NO. 07-3510N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation
- (14) **CASE NO. 07- 4154N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

DISMISSED CASES

- (1) **CASE NO. 08-3623N**
Classification: Cadet, CHP
Department: California Highway Patrol
- (2) **CASE NO. 07-5678N**
Classification: Fish and Game Warden Cadet
Department: California Department of Fish and Game
- (3) **CASE NO. 07-2369N**
Classification: Correctional Officer
Department: California Department of Corrections and Rehabilitation

I. REQUEST TO FILE CHARGES CASES

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

- (1) **CASE NO.07-0311N**
Classification: Officer
Department: California Highway Patrol
Issue: The charging party requests to file charges for violations of various subsections of Government Code section 19572.

J. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT ISSUE COMPLAINTS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

NONE

K. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS, VOIDED
APPOINTMENT APPEALS

Cases heard by a Staff Hearing Officer, or a managerial staff member of the State Personnel Board. The Board will be presented recommendations by a Staff Hearing Officer for final decision on each appeal.

NONE